

AMENDED IN ASSEMBLY JUNE 27, 2012

AMENDED IN ASSEMBLY JUNE 6, 2012

AMENDED IN SENATE APRIL 12, 2011

SENATE BILL

No. 561

Introduced by Senator Corbett

February 17, 2011

An act to add and repeal Section 13023.5 of the Penal Code, relating to Internet crime statistics.

LEGISLATIVE COUNSEL'S DIGEST

SB 561, as amended, Corbett. Internet crimes: data collection.

Existing law requires specified local entities, including district attorneys and sheriffs, to install and maintain records needed for the correct reporting of statistical data and to report that data to the Attorney General at those times, and in a manner, prescribed by the Attorney General.

This bill would, until January 1, 2015, authorize the Alameda County District Attorney's Office and the Los Angeles County Sheriff's Department to collect statistical data on arrests or prosecutions involving private information, *as defined*, gathered from the Internet that was used in furtherance of a crime within each participating entity's jurisdiction. The bill would require, if the *statistical* data is collected, the publication of the ~~data~~ *statistical information* in a prescribed manner on or before July 1, 2013, and January 1, 2014.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Alameda County District Attorney and the Los Angeles County Sheriff's Department.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13023.5 is added to the Penal Code, to
2 read:

3 13023.5. (a) The Alameda County District Attorney's Office
4 and the Los Angeles County Sheriff's Department may collect
5 statistical data on arrests or prosecutions involving private
6 information gathered from the Internet that was used in furtherance
7 of a crime within each participating entity's jurisdiction. The
8 information may be gathered in a manner that the participating
9 entity deems appropriate and may focus the statistical data on
10 crimes the victim of which is a minor.

11 (b) If an entity in subdivision (a) collects the statistical data,
12 that entity shall publish the *statistical* information or post the
13 *statistical* information on the entity's Internet Web site in two
14 installments. The first installment shall be published on or before
15 July 1, 2013, and shall be comprised of all information collected
16 prior to that date. The second installment, which shall be comprised
17 of all information collected on or after July 1, 2013, shall be
18 published on or before January 1, 2014.

19 (c) *For purposes of this section, "private information" means*
20 *any information that identifies or describes an individual,*
21 *including, but not limited to, his or her name, social security*
22 *number, account numbers, passwords, personal identification*
23 *numbers, physical description, physical location, home address,*
24 *home telephone number, education, financial matters, and medical*
25 *or employment history. Private information includes statements*
26 *made by, or attributed to, the individual.*

27 (e)
28 (d) This section shall remain in effect only until January 1, 2015,
29 and as of that date is repealed, unless a later enacted statute, that
30 is enacted before January 1, 2015, deletes or extends that date.

31 SEC. 2. The Legislature finds and declares that a special law
32 is necessary and that a general law cannot be made applicable
33 within the meaning of Section 16 of Article IV of the California
34 Constitution because of the unique need to establish a pilot program

- 1 in the named counties to determine, on a smaller scale, the efficacy
- 2 of the program and the usefulness of the data collected.

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